

U.S. DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

SEP 22 2022

FILED

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Edward Maselli

v.

Case No. 19-cv-1248-AJ

Thomas Durden and

John Yurcak

SPECIAL VERDICT

I. Liability of Thomas Durden

Question 1: Do you find by a preponderance of the evidence that Thomas Durden used excessive force in violation of Edward Maselli's rights under the Fourth Amendment?

Yes

No X

Question 2: Do you find by a preponderance of the evidence that Thomas Durden committed battery against Edward Maselli?

Yes

No X

If you answered "No" to both Question 1 and Question 2, your deliberations with respect to the claims against Thomas Durden are complete and you may proceed to Section III relating to the Liability of John Yurcak.

If you answered "Yes" to either Question 1 or Question 2, or both, please turn to the next page and respond to the questions at Section II on damages to be awarded against Thomas Durden.

II. Damages Against Thomas Durden

Question 3: What amount of compensatory damages do you award to Edward Maselli against Thomas Durden?

(Please enter the amount in words, not numbers, as if you were writing a check.)

Question 4 (only if you answered “Yes” to Question 1 and entered “Zero” in response to Question 3): What amount of nominal damages do you award to Edward Maselli against Thomas Durden?

(Please enter the amount in words, not numbers, as if you were writing a check. Remember that the amount may not exceed one dollar.)

Question 5 (only if you answered “Yes” to Question 1): What amount of punitive damages, if any, do you award Edward Maselli against Thomas Durden?

(Please enter the amount in words, not numbers, as if you were writing a check.)

Question 6 (only if you answered “Yes” to Question 2): What amount of enhanced compensatory damages, if any, do you award Edward Maselli against Thomas Durden?

(Please enter the amount in words, not numbers, as if you were writing a check.)

Your deliberations with respect to the claims against Thomas Durden are now complete. Please proceed to Section III.

III. Liability of John Yurcak

Question 7: Do you find by a preponderance of the evidence that John Yurcak used excessive force in violation of Edward Maselli's rights under the Fourth Amendment?

Yes ____

No X

Question 8: Do you find by a preponderance of the evidence that John Yurcak committed battery against Edward Maselli?

Yes ____

No X

If you answered "No" to both Question 7 and Question 8, your deliberations are complete. Please have the Jury Foreperson sign and date this verdict form on the last page and notify the Court Security Officer that you have reached a verdict.

If you answered "Yes" to either Question 7 or Question 8, or both, please respond to the questions at Section IV on damages to be awarded against John Yurcak.

IV. Damages Against John Yurcak

Question 9: What amount of compensatory damages do you award to Edward Maselli against John Yurcak?

(Please enter the amount in words, not numbers, as if you were writing a check.)

Question 10 (only if you answered "Yes" to Question 7 and entered "Zero" in response to Question 9): What amount of nominal damages do you award to Edward Maselli against John Yurcak?

(Please enter the amount in words, not numbers, as if you were writing a check. Remember that the amount may not exceed one dollar.)

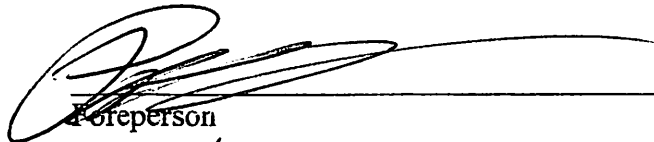
Question 11 (only if you answered "Yes" to Question 7): What amount of punitive damages, if any, do you award Edward Maselli against John Yurcak?

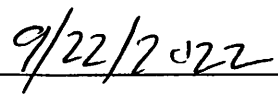
(Please enter the amount in words, not numbers, as if you were writing a check.)

Question 12 (only if you answered “Yes” to Question 8): What amount of enhanced compensatory damages, if any, do you award Edward Maselli against John Yurcak?

(Please enter the amount in words, not numbers, as if you were writing a check.)

(This concludes your deliberations.)


Foreperson


Date